

TO: Interim EVC and University Provost Alvero

FROM: CUNY Alliance to Defend Higher Education (CADHE)

CC: Chancellor Matos Rodriguez, Board Chair Thompson, General Counsel Davis, UFS Chair Verzani, PSC Chair Davis, CUNY Presidents, CADHE Organizing Committee

RE: Concerns over Title VI Training: Academic Freedom and Freedom of Expression

November 24, 2025

Dear Interim EVC and University Provost Alvero,

The CUNY Alliance to Defend Higher Education ([CADHE](#)) writes to you today to express our alarm at how academic freedom and free speech are represented in the recently mandated [Title VI training](#) announced to the university community on 11/14/25.

We agree that it is essential that all members of the CUNY community be aware of the protections of Title VI, as well as the university's responsibility to support those protections. But this training does not simply affirm the purposes of Title VI and provide guidance on how to enact its principles. Rather, it sends mixed messages to faculty by asserting that we have rights under academic freedom and the First Amendment while simultaneously warning us to restrain the exercise of those rights lest our actions be perceived as potential violations of Title VI.

Below are the concerning points raised in the training that we would like to see addressed and revised:

1. The training uses vague and potentially chilling language, repeating the phrase "hostile environment" without ever defining it, equating a student's feeling of alienation in a classroom (also undefined) with discrimination, and conflating a *perception* of discriminatory behavior with actions that could legitimately qualify as violations of Title VI. This chilling effect extends to the discussion of the legal basis for academic and First Amendment freedoms: the presenter in the training describes in detail the Supreme Court decision in *Garcetti vs. Ceballos*, which limits free expression by government employees, and then points out that many courts, including those in New York, in addition to *Heim vs. Daniel*, have exempted higher education from these limitations. If *Garcetti* is irrelevant for CUNY's purposes, why mention it at all beyond the desire to seed fears of punishment for speech inside and outside the classroom?
2. Rather than leading our students towards meaningful and contextual thinking, the training encourages faculty to provide "counterpoints or other perspectives to balance discourse." While many issues do generate equally legitimate opposing arguments and include a diversity of perspectives, this guidance is at best tone-deaf in relation to the fields in which many of us work: the history of slavery, for example, or climate science, public health, gender and sexuality studies, and the like. It is our responsibility as instructors not just to hear our students' claims but to correct their mistakes and misapprehensions. Moreover, the definition of "controversial" is historically and geopolitically specific: questions that are

heavily contested at one moment become conventional wisdom at another, and vice versa. Faculty expertise, not student enthusiasm, provides that context.

3. Even more worrying is the training's guidance around political activity on and off campus. The training notes that faculty are free to attend off campus protests, but we should be "mindful" of how our actions outside the classroom may lead to the perception of a hostile learning environment by students who disagree with a faculty member's political positions. The training also notes that faculty may exercise their First Amendment rights by posting on social media, but that students are free to track down their posts and report them. Moreover, although the university would have no grounds on which to legally act against the faculty member, CUNY reserves the right, according to the training, to impose other "remedial measures." In other words, student objections to faculty political speech could lead to discipline *even though* that speech is fully covered by both academic freedom and the First Amendment.
4. Throughout the training, the threat of disciplinary action against faculty is repeatedly raised, although, again, with few specifics. Faculty are warned that in response to any number of different complaints of a hostile environment, "the university may need to take action." Again, besides the fact that "hostile environment" is not defined, the phrase "may need to take action" is intimidatingly vague. Even more concerning is the assertion that such actions may include "academic adjustments." Adjustment to a lesson plan? A syllabus? A faculty member's teaching schedule or employment status? None of this is spelled out.
5. Finally, we are troubled by one of the "Knowledge Check" questions after the training, which asks what is the appropriate action to take if one feels someone may be violating Title VI. While possible answers include "speaking with their supervisor" or "reaching out to Human Resources," the "correct" response is to report this possible violation through the CUNY complaint portal. In other words, rather than first attempting to resolve an issue on the ground with department chairs, supervisors, or HR, faculty and staff, and students, should instead outsource potential complaints to CUNY central. Given the messages conveyed by this training, we have serious doubts about the wisdom of this advice. Additionally, by sending all complaints through the portal, and then to campus chief diversity officers (CDOs), the university violates its own [Policy 5.20](#) of the Manual of General Policy, which explicitly lays out how student complaints of faculty are to be addressed, and simultaneously provides due process for all parties involved, includes an appeals process, and privileges the protection of academic freedom in such proceedings. The university's Title VI training, which is not policy, ignores and upends the very principles of academic freedom and due process that Policy 5.20 lays out.

In sum, we find that the net effect of this training is to induce faculty -- most especially junior and adjunct faculty, who are the least protected -- to self-censor in the classroom and abandon any First Amendment rights. If we engage in social media discourse or public protests, correct misinformation in our students, challenge their beliefs, or speak out of turn in any way, we can expect to be reported, either on the university's portal or to our local CDOs, with claims that we have violated Title VI or at least created the perception of discrimination or of a hostile learning environment.

As you know, many of these questions around academic freedom and freedom of expression were first raised in our [response](#) to a statement you issued in a 9/26/25 newsletter from the Office of Academic Affairs. Several groups, including CADHE, the PSC and BMCC academic freedom committees, and most recently participants at the 10/28/25 UFS Plenary meeting, questioned the implications of that statement. At that meeting, you noted that your statement was received in a far different and more negative manner than you had anticipated, that you were not establishing policy in that statement, and that you planned to clarify the university's position. However, within two weeks of this discussion, this mandatory Title VI training, which not only uses the same language of your statement of 9/26/25 but expands and amplifies the very assertions that CADHE and others objected to, appeared on our Brightspace pages, as though none of these objections had ever been made.

Ultimately, this training does far more damage than good. It places the onus for student comfort (characterized here as a "safe" environment) on faculty; it creates the impression that students are free to lodge complaints against protected faculty activities and leaves the faculty vulnerable to an untold number of attacks; and rather than generating an atmosphere of support for and confidence in faculty as guardians of student learning, it implies that the university's job is to restrain our political speech, surveille our classrooms, and eradicate any hint of student dissatisfaction.

We reiterate our request that you issue a clarification of your and the university's position with regard to faculty's academic freedom and First Amendment rights, which this Title VI training explicitly undermines. We further reiterate our request that you consult with the Academic Freedom Committee of the UFS, and any other academic freedom committee you deem fit, who could have pointed out any of the above concerns before your 9/26/25 statement on academic freedom and this Title VI training were released -- thus avoiding the unnecessary fear and anxiety that has been caused amongst the faculty.

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